

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

SHONDRA L. WILLIAMS,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 4:19-cv-00370-P
	§	
THE KROGER CO.,	§	
	§	
Defendant.	§	

ORDER TO SHOW CAUSE

Per the Court’s January 29, 2020 Order Regarding Defendant’s Motion to Compel (the “Order”) (ECF No. 13), Defendant The Kroger Co.’s (“Defendant”) and Plaintiff Shondra Williams’s (“Plaintiff,” and together with Defendant, the “Parties”) were ordered to confer and make a good-faith effort to resolve their discovery dispute between themselves. The Court set forth clear deadlines by which the Parties were responsible for conferring with one another and filing a status update. ECF No. 13. As of the date of this order, the deadlines in the Order have passed, and neither party has submitted to the Court any report or update. Under Federal Rule of Civil Procedure 41(b), the Court may *sua sponte* dismiss an action if the Plaintiff fails to comply with the Federal Rules of Civil Procedure or a *court order*. *Link v. Wabash R.R.*, 370 U.S. 626, 630–31 (1962) (emphasis added); *see* FED. R. CIV. P. 41(b).

Therefore, the Parties are **ORDERED** to show cause by filing a sworn response to this order by **Wednesday, February 19, 2020**. The Parties’ response(s) may be filed

jointly or separately. The response(s) should address: (1) an explanation why the Parties have not complied with the Order, (2) an explanation why the Parties should not be sanctioned, monetarily or otherwise, and (3) the current status of the case.

IT IS FURTHER ORDERED that because the Court is concerned that counsel for the Parties are either affirmatively ignoring or misunderstanding legal and ethical requirements for practice in the Northern District of Texas, on or before **Wednesday, February 19, 2020**, each counsel of record in this case shall read: (1) *Dondi Properties Corp. v. Commerce Savings & Loan Assoc.*, 121 F.R.D. 284 (N.D. Tex. 1988); (2) Local Civil Rules of the United States District Court for the Northern District of Texas; (3) the Texas Lawyer's Creed; and (4) the Texas Rules of Professional Conduct.¹

IT IS FURTHER ORDERED that each counsel of record in this case shall individually certify to the Court via a filed and sworn affidavit on or before 12:00 p.m. on

¹During the remaining pendency of this case, counsel should be particularly mindful of their obligations under the Texas Lawyer's Creed. Among other things, as members of the Texas bar, attorneys: (1) "will always recognize that the position of judge is the symbol of both the judicial system and administration of justice"; (2) "will refrain from conduct that degrades this symbol;" (3) "will conduct myself in Court in a professional manner and demonstrate my respect for the Court and the law"; (4) "will treat counsel, opposing parties, the Court, and members of the Court staff with courtesy and civility"; (5) "will not engage in any conduct which offends the dignity and decorum of proceedings"; (6) "will not knowingly misrepresent, mischaracterize, misquote or miscite facts or authorities to gain an advantage"; (7) "will respect the rulings of the Court"; and (8) "will give the issues in controversy deliberate, impartial and studied analysis and consideration." TEXAS LAWYER'S CREED—A MANDATE FOR PROFESSIONALISM, reprinted in TEXAS RULES OF COURT 763–65 (West 2019); cf. GEORGE WASHINGTON, quoted in GREAT QUOTES FROM GREAT LEADERS 65 (compiled by Peggy Anderson (1990)) ("Strive not with your superiors in argument, but always submit your judgment to others with modesty.").

Thursday, February 20, 2020 that they have read, understand, and will comply with these four documents throughout the remainder of this litigation.

The Court sets a thirty-minute show cause hearing on **Friday, February 21, 2020**, at **10:00 a.m.** in the Fifth Floor Courtroom of the Eldon B. Mahon United States Courthouse, located at 501 W. 10th Street, Fort Worth, Texas. Counsel for all parties are **ORDERED** to attend. Counsel should be prepared to answer questions and discuss all matters currently pending before the Court, including Defendant's Motion to Compel Plaintiff's Discovery Responses and Deposition (ECF No. 12).

SO ORDERED on this **14th day of February, 2020**.

A handwritten signature in black ink, reading "Mark T. Pittman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark T. Pittman
UNITED STATES DISTRICT JUDGE